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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/172,435 10/14/98 MORRIS

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EXAMINER

WM01/1003

CORPORATE PATENT COUNSEL
U S PHILIPS CORPORATION
580 WHITE PLAINS ROAD
TARRYTOWN NY 10591

CHIEF, P

ART UNIT

PAPER NUMBER

2615

DATE MAILED:

10/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/172,435

Applicant(s)

MORRIS ET AL.

Examiner

Polin Chieu

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamura et al (5,621,840).

Regarding claim 1, Kawamura et al discloses a MPEG recording/reproducing device that records data blocks (col. 8, lines 10-17) and outputs data blocks to produce a sequence of video images in figures 17 and 18. Kawamura et al discloses that MPEG coding codes data in I, P, and B frames; and I frames are coded without reference to other frames; and P and B frames coded in reference to other frames (col. 3, lines 1-12). Kawamura et al also discloses inserting additional data blocks into the stream, each of the additional blocks carrying data identifying the relative location of the first or only data block of an I frame (col. 7, lines 26-37).

Regarding claim 3, Kawamura et al teaches that each additional data block identifies the first or only data block in the data block stream of the closest previously formatted I frame in figure 13.

Regarding claim 4, Kawamura et al disclose storing data identifying the length of the closest previously formatted I frame in figure 19.

Regarding claim 5, Kawamura et al discloses that the images are encoded in accordance with MPEG standard (col. 12, line 13) and all data block are of a common size (col. 8, lines 10-17).

Regarding claim 6, Kawamura et al discloses a storage device (10) capable of being sequentially read and carrying an encoded (1) sequence of video images in figure 17. As discussed previously in the art rejection of claim 1, Kawamura et al discloses images coded without reference to any other images; images coded with reference to other images; the images formatted into a sequence of data blocks; and with additional data identifying the storage location of the first or only data block of an I frame (figure 19).

The limitations of claim 7 where discussed in the art rejection of claim 5. Please refer to the art rejection of claim 5.

Regarding claim 8, Kawamura et al discloses additional data identifying the storage location of the first or only data block of the closest previously formatted I frame in figure 19.

Regarding claim 9, Kawamura et al discloses carrying at respectively separate storage locations auxiliary data associated with respective encoded image frames and each of the additional data block further carries data identifying storage location of the auxiliary data associated with the particularly indicated I frame (col. 11, lines 47-52).

Regarding claim 10, Kawamura et al discloses that recording medium (DSM) may be an optical disc (col. 1, lines 30-35), wherein the additional data blocks identify the location of the first or only data block of the closest preceding I frame in terms of location on the disc (figure 19).

Regarding claim 11, as discussed previously Kawamura et al discloses encoding successive images using a predetermined coding scheme, wherein some of the frames are intra-coded, and the remainder are coded with reference to other frames. Kawamura also disclosed formatting the data into one or a sequence of data blocks, and being operable to identify I frames (31), inserting additional data blocks (36) carrying data identifying the location of the first or only data block of an I frame (figure 19).

Regarding claim 12, Kawamura et al discloses a player with a decoder (25) decoding and outputting a sequence of video frames, the player operable in a fast forward or fast reverse mode (col. 1, lines 1-17), the player comprising a means for selecting frames by selecting every Nth data block and displaying the I frame (col. 13, line 40 to col. 14, line 10).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al.

Kawamura et al does not disclose that a single additional data block is inserted at fixed periodically repeated intervals.

Kawamura et al teaches in the prior art that a fixed rate of compression results in the I frames occurring at predetermined positions (col. 3, lines 13-23). Therefore, if the compression rate was fixed then additional data block would be inserted at fixed periodically repeated intervals.

It would have been highly desirable to have additional data blocks in the fixed compression rates so that the position of the I frame does not have to be calculated (col. 3, lines 12-23).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have entry points in a fixed compression signal in the device of Kawamura et al.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fujinami et al (5,504,585), Yamagishi et al (6,141,491), Kawakami et al (6,118,928), Kawamura et al (6,078,722), Yamagishi et al (6,016,382), Kawara (5,838,872), Fujinami et al (5,568,274), and Kawamura et al (5,768,466) all disclose entry points to allow trick play.

Application/Control Number: 09/172,435
Art Unit: 2615


Page 6

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-F 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

PC
October 1, 2001


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600